In the High Court of Judicature at Madras

Dated: 08.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.46653 of 2006
and M.P.No.2 of 2006

1. C.Palani
2. N.Perumal
3. C.Arumugam
4. P.Elumalai
5. E.Nalini
6. Sankar
7. Mallika
8. N.Raji
9. Santhi
10. N.Thangadurai
11. Sundaramurthy
12. Loganathan
13. S.Chandran
14. P.Buvana ..Petitioners

..vs..

1. The State of Tamil Nadu,
   rep.by it Secretary,
   Municipal and Local Administration,
   Fort St.George,
   Chennai-600 009.

2. The Commissioner,
   Corporation of Chennai,
   Ripon Building,
   Chennai-600 003.

3. The District Collector,
   North Beach Road,
   Chennai-600 001. ..Respondents

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Prohibition for the reasons mentioned therein.

For Petitioners : Mr.K.V.Sanjeev Kumar

For Respondents : Mr.K.Ilango, Spl.G.P.,for R1 & R3
Mr.C.Ravichandran for R2

ORDER

(Order of the Court was made by P.SATHASIVAM,J.,)

Petitioners, numbering 14, have approached this Court, to issue a Writ of Prohibition, prohibiting the respondents from interfering with the right and possession of their shops in Shop No.7, 8, 27, 37, 40, 41, 62, 63, 98, 102, 1, 2, 3 and 4 at No.35, Pondy Bazaar Market, opposite to Naidu Hall, Thiyagaraya Road, Chennai.

2. Mr.Ravichandran, learned counsel appearing for the 2nd respondent-Corporation of Chennai, by drawing our attention to the Order of the First Bench of this Court dated 17.11.2006 in W.P.No.1049 of 2006, submitted that the remedy open to the petitioners is to approach the Implementation Committee, chaired by Honourable Mr.Justice A.RAMAMURTHI, Retired Judge of this Court, and also submitted that in view of the order of the First Bench and the existence of the Committee, the grievance of the petitioners cannot be gone into by this Court in this Writ petition.

3. In view of the statement of the learned counsel appearing for the 2nd respondent and the order of the First Bench dated 17.11.2006 in W.P.No.1049 of 2006, we permit the petitioners to approach the Implementation Committee, by way of representation. It is made clear that if any such representation is made, it is for the Implementation Committee to consider and pass orders in accordance with law.

With the above direction, the writ petition is disposed of. No costs. Consequently, connected M.P.is closed.

gl

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

To

1. The Secretary to Government,
   Municipal and Local Administration,
   Fort St.George,
   Chennai-600 009.

2. The Commissioner,
   Corporation of Chennai,
   Ripon Building,
   Chennai-600 003.

3. The District Collector,
   North Beach Road,
   Chennai-600 001.

1 cc to Mr.B..S.Gnanadesikan, Advocate, SR.61550
1 cc to Mr.C.Ravichandran, Advocate, SR.61092
1 cc to Government Pleader, SR.60973

bs (co)

dv/18.12.06

Writ Petition No.46653 of 2006

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/